

AFFIDAVIT IN SUPPORT OF  
COMPLAINT AND ARREST WARRANT

I, Eric Eccleston, am a Special Agent with the Federal Bureau of Investigation (“FBI”), being duly sworn, depose and state as follows:

1. I have been a Special Agent with the FBI since May 13, 2018, and am currently assigned to the Minneapolis Division, Minot Resident Agency. My duties include, among other things, the investigation of violent crimes occurring within Indian Country. As a Federal Agent, I am authorized to investigate violations of laws of the United States, and to execute warrants issued under the authority of the United States.
2. This Affidavit is being made in support of an Information and Arrest Warrant for MYRON JOHNSON (JOHNSON), date of birth (DOB) XX/XX/1976 for 18 U.S.C. §§ 2241 (Aggravated Sexual Abuse), 2243 (Sexual Abuse of a Minor or Ward), 2244 (Abusive Sexual Contact), and 1153.
3. The statements contained in this Affidavit are based in part on: information provided by other agencies; written reports about this and other investigations that I have received, directly or indirectly, from other law enforcement agents; independent investigation; and my experience, training and background as a Special Agent with the FBI. Because this Affidavit is being submitted for the limited purpose of establishing probable cause to believe that MYRON JOHNSON committed the above-described offense, I have not included every detail of the investigation. In addition, unless otherwise indicated, all statements contained in this Affidavit are summarized in substance and in part.

FACTS

4. On Friday August 19, 2022, P.H., DOB XX/XX/2009, a juvenile female who had not yet attained the age of 16, disclosed to a school counselor that her uncle, JOHNSON, had

been touching her below her waist and on her privates. The school counselor reported that P.H. also disclosed that she had installed a lock on her bedroom door because she was scared of her JOHNSON and for her privacy.

5. Three Affiliated Tribes Criminal Investigator (TAT CI) Clifton Whitman informed SA Eric Eccleston of these allegations and SA Eccleston scheduled a forensic interview to take place that coming Monday, August 22, 2022. SA Eccleston was informed that TAT CI Whitman would be accompanying Pamela's guardian, Kathy Albers (ALBERS), to her residence so ALBERS could kick JOHNSON out of the house. According to ALBERS when JOHNSON was told to leave because P.H. had reported that JOHNSON had inappropriately touched her, JOHNSON replied by saying, "Okay, okay," and "this is fucked up." According to ALBERS, JOHNSON never denied the allegations to her and instead told ALBERS that they, JOHNSON and P.H., had been wresting while they were swimming.
6. On August 22, 2022, during a forensic interview P.H. disclosed that she suffered violent sexual abuse by JOHNSON on multiple occasions with the most recent being two to three weeks prior to the interview. P.H. disclosed that there were times that she would wake up and JOHNSON would be in her room and bent over her bed talking, sometimes to P.H. or to her cat. A couple times she woke up to JOHNSON rubbing her legs with his hands. P.H. also disclosed that a couple times, if she was not covering her chest area, JOHNSON would reach over and "scoop her chest".
7. The first time JOHNSON ever tried to do anything to P.H. was in March of 2022. P.H. was taking a nap on JOHNSON's bed in the garage, where he lived in the residence, with JOHNSON's daughter, A.D. When P.H. woke up, JOHNSON was rubbing P.H.'s neck

and back. JOHNSON then grabbed a massage roller, that she described as being blue with a metal ball at the end that was filled with water or something similar, and rubbed P.H.'s back, neck, and shoulders. JOHNSON then grabbed a zip tie and called it his cuffs. JOHNSON told P.H. that if she was not listening, he was going to put his cuffs on her, referencing the zip tie. JOHNSON asked P.H. if she had ever been in cuffs. P.H. just thought that JOHNSON was being weird, so she continued laying down with A.D. and fell asleep. When P.H. woke again, JOHNSON was sitting on her back and pushing down on her neck. P.H. attempted to get up, but JOHNSON was heavier than her. P.H. tried to hit JOHNSON, but he would just grab her arms and laugh about it. JOHNSON then used a zip tie to restrain P.H.'s arms behind her back as JOHNSON was holding her down. JOHNSON then started to rub his "private" part on her body. JOHNSON had pulled up P.H.'s shirt, but her pants remained on as JOHNSON rubbed his "private" part on her back, butt, and thighs. P.H. described that JOHNSON was just going back and forth. P.H. believed JOHNSON's clothes were still on, but she knew that it was JOHNSON's "private" part because it did not feel like his legs or stomach and it was stiff. P.H. was able to get away from JOHNSON at some point and go into the main part of the residence.

8. The second time that JOHNSON touched P.H. was in May of 2022 near the end of the school year. While watching a movie, JOHNSON turned off the lights and stood by P.H. for a while. When P.H. got sleepy, JOHNSON started trying to touch her by rubbing her back and her legs. JOHNSON went further up P.H.'s back, so she shoved his arm and turned the other way. JOHNSON kept rubbing her back, so she kept moving away from him. After a while JOHNSON started to rip P.H.'s clothes off and asked P.H. if she

wanted to wrestle, to which she responded no. JOHNSON again started ripping off P.H.'s pants and P.H. hit him in an effort to try and get him off of her. JOHNSON thought it was funny and P.H. could see him smiling. JOHNSON then really started wrestling with her and got on top of her, putting his arm around her neck in what P.H. described as a choke hold. P.H. stated she had difficulty breathing when JOHNSON did this to her. P.H. was trying to get out of it, but JOHNSON is stronger than her and after a while she just started to cry. P.H. reported that JOHNSON touched her private part with his hand. P.H. demonstrated how he touched her by rubbing her index finger back and forth on her leg. P.H.'s pants were down her legs when JOHNSON was rubbing her private. P.H. would try to get up, but JOHNSON wouldn't let her go. When JOHNSON did move, P.H. jumped off the bed and walked away. However, JOHNSON grabbed P.H. and tried to get her down onto the floor. P.H. ended up on all fours in a crawling position and was trying crawl away, but JOHNSON held her back. JOHNSON grabbed P.H.'s waist really tight and pulled her up against him. JOHNSON's private part was pressed against P.H.'s butt while her pants were around her knees. JOHNSON's pants were still on, but he may have been wearing boxers. P.H. knew that JOHNSON's private part was not going into her because she could feel the clothing. While this was occurring, JOHNSON called P.H. a "tough bitch."

9. The last time JOHNSON touched P.H. was a couple weeks before school started (which would have been early August or late July 2022) while P.H. was lying in the bed in the garage. While lying on the bed, JOHNSON tried to grab P.H. so she moved his hand and gave him a weird look, but he kept doing it. JOHNSON asked P.H. if she wanted to wrestle and she said no. JOHNSON got P.H. onto the corner of the bed with P.H.'s upper

body still on the bed, but the rest of her was hanging off. P.H. stated, “That was the first time where he actually touched me with his private.” Given the context and the previous disclosures of JOHNSON touching P.H. with his private through clothing, this was believed to mean that this was the first time JOHNSON had touched P.H. with his bare penis. P.H. could feel JOHNSON rubbing his “private” part on her body. When asked where JOHNSON’s “private” part was going, P.H. made an upward gesture near her genital area and confirmed that she could feel JOHNSON’s “private” part on her vagina. JOHNSON again used a zip tie to keep P.H.’s arms behind her back. The zip tie wasn’t as tight, it was just on her wrists and it wasn’t really holding her down. While this was occurring JOHNSON called P.H. a “fighter” and a “tough bitch”. P.H. kicked JOHNSON to the dresser and P.H. got up and fell to the ground because she was trying to get her pants back up. JOHNSON picked her up and asked her if she wanted to be back on the bed, to which P.H. responded “no.” P.H. hit JOHNSON a couple times and she believes she hurt him because he said, “Ow, you little bitch.” P.H. then ran into the house and took a shower.

10. During the interview, P.H. reported that she grabbed some locks from the garage and put a lock on her door a couple months ago. P.H. also described or drew different details about the garage and different items within the garage during the interview.
11. During an interview of ALBERS on August 22, 2022, she confirmed that P.H. put a lock on her door around May of 2022, but told her it was to keep A.D. out of her room. ALBERS also reported that JOHNSON is very street smart and if he catches word of anything, he will be gone and will disappear.
12. On August 24, 2022, SA Eccleston learned that MHA Child Welfare had gone to the

residence at which JOHNSON was currently staying after having been told to leave ALBER's residence on August 19, 2022, to conduct a welfare check on his daughter A.D. who was still in his care. According to MHA Child Welfare Worker Reese Cummings (CUMMINGS) during the check, JOHNSON submitted to a urinalysis which tested presumptively positive for methamphetamine. MHA Child Welfare Workers CUMMINGS and Robin Weston (WESTON) requested that he voluntarily provide A.D. to them so A.D. could stay with ALBERS or JOHNSON's father, because A.D. could not stay with him. JOHNSON refused and when WESTON began to call the cops, JOHNSON took A.D., got into a vehicle and fled.

13. An AMBER Alert was issued for A.D. on August 25, 2022. A.D. was located later that day. JOHNSON was subsequently arrested by Three Affiliated Tribes Law Enforcement Services and convicted of Child Endangerment and False Imprisonment.
14. On August 26, 2022, during a consent search of the residence and the garage, SA Eccleston observed numerous items and details of the room which tended to corroborate details disclosed during the forensic interview of P.H. Among the details and items observed was a black zip tie in the garage, which fit the description of the zip tie described by P.H., a massage ball roller in the garage, which fit the description of the massage ball roller described by P.H., and a soft fluffy native print blanket, which fit the description of the blankets described by P.H. Other details were observed, which also corroborated P.H. description of JOHNSON's living area in the garage.
15. Both P.H. and JOHNSON are enrolled members of the Three Affiliated Tribes and all of the offenses described above took place within the exterior boundaries of the Fort Berthold Indian Reservation.

Based on your affiant's training and experience and the facts as set forth in this affidavit, there is probable cause that JOHNSON violated 18 U.S.C. §§ 2243 (Sexual Abuse of a Minor or Ward), 2244 (Abusive Sexual Contact), and 1153.



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Eric Eccleston, Special Agent  
Federal Bureau of Investigation

Agent Eccleston attested to this Affidavit by telephone  
pursuant to Fed. R. Crim. P. 4.1(b)(2)(A)

September 19<sup>th</sup>, 2022, at District of North Dakota



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Honorable Clare R. Hochhalter  
United States Magistrate Judge